

highest grade in Navy with provision for appointment of four on active list at any one time.

Section 1692, act Dec. 14, 1944, ch. 580, § 2, 58 Stat. 802, established General of the Army as highest grade in Army with provision for appointment of four on active list at any one time.

Section 1693, act Dec. 14, 1944, ch. 580, § 3, 58 Stat. 802, related to appointment without examination, tenure, effect on permanent or temporary status, appointment and reversion of retired officers.

Section 1694, act Dec. 14, 1944, ch. 580, § 4, 58 Stat. 803, related to pay and allowances of appointees under sections 1691 to 1697 of this Appendix.

Section 1695, act Dec. 14, 1944, ch. 580, § 5, 58 Stat. 803, related to rank and pay on retirement of appointees under sections 1691 to 1697 of this Appendix.

Section 1696, act Dec. 14, 1944, ch. 580, § 6, 58 Stat. 803, related to rank and precedence of appointees under sections 1691 to 1697 of this Appendix according to date of appointment.

Section 1697, act Dec. 14, 1944, ch. 580, § 7, 58 Stat. 803, left unaffected by sections 1691 to 1697 of this Appendix, any other law relating to office of General of the Armies of the United States.

DISPOSAL OF CENSORED MAIL

ACT DEC. 22, 1944, CH. 673, 58 STAT. 913

§ 1701. Omitted

CODIFICATION

Section, act Dec. 22, 1944, ch. 673, § 1, 58 Stat. 913, relating to disposal of censored mail, expired six months after termination of hostilities in World War II, which was proclaimed at 12 o'clock noon on Dec. 31, 1946 by Proc. No. 2714, Dec. 31, 1946, 12 F.R. 1, set out preceding section 1 of this Appendix, pursuant to section 2 of act Dec. 22, 1944.

DISBURSING OFFICERS' ADDITIONAL FUNCTIONS

ACT DEC. 23, 1944, CH. 716, 58 STAT. 921

§§ 1705 to 1707. Transferred

CODIFICATION

Sections 1705 to 1707, acts Dec. 23, 1944, ch. 716, §§ 1, 2, 58 Stat. 921; June 16, 1953, ch. 115, 67 Stat. 62, were transferred to sections 492a to 492c, respectively, of former Title 31, Money and Finance, and subsequently repealed by section 5(b) of Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 1076, the first section of which enacted Title 31. See section 3342 of Title 31.

Section 1705 related to check cashing and exchange transactions authorized for official and accommodation purposes.

Section 1706 related to coverage into Treasury of any gains realized from the operations conducted pursuant to sections 1705 to 1707 of this Appendix.

Section 1707 related to the issuance of regulation by Secretary of the Treasury to carry out purposes of sections 1705 to 1707 of this Appendix.

GENERAL OF MARINE CORPS

ACT MAR. 21, 1945, CH. 29, 59 STAT. 36

§§ 1711 to 1715. Omitted

CODIFICATION

Sections 1711 to 1715 were omitted as terminated pursuant to section 1715 of this Appendix.

Section 1711, act Mar. 21, 1945, ch. 29, § 1, 59 Stat. 36, established grade and rank of General of Marine Corps and provided for appointment of Commandant of Marine Corps thereto.

Section 1712, act Mar. 21, 1945, ch. 29, § 2, 59 Stat. 36, related to appointment without examination, tenure and effect on permanent or temporary status.

Section 1713, act Mar. 21, 1945, ch. 29, § 3, 59 Stat. 36, related to pay and allowances of appointees under sections 1711 to 1715 of this Appendix.

Section 1714, act Mar. 21, 1945, ch. 29, § 4, 59 Stat. 36, related to rank and pay on retirement of appointees under sections 1711 to 1715 of this Appendix.

Section 1715, act Mar. 21, 1945, ch. 29, § 5, 59 Stat. 37, provided for the termination of sections 1711 to 1715 of this Appendix six months after the termination of the wars in which the United States was engaged as proclaimed by the President or such earlier date as Congress, by concurrent resolution, might fix. Cessation of hostilities of World War II, eff. twelve o'clock noon, Dec. 31, 1946, was proclaimed by the President in Proc. No. 2714, Dec. 31, 1946, 12 F.R. 1. The Treaty of Peace with Japan, signed at San Francisco on Sept. 8, 1951, was ratified by the United States Senate on Mar. 20, 1952 and came into force on Apr. 28, 1952. See Termination of State of War notes set out preceding section 1 of this Appendix.

PERMANENT APPOINTMENT

Section 2 of act Mar. 23, 1946, ch. 112, 60 Stat. 60, provided for permanent appointment in grade of General in Regular Marine Corps of General Alexander A. Vandegrift. Section also provided for full pay upon retirement.

ADMIRAL IN COAST GUARD

ACT MAR. 21, 1945, CH. 30, 59 STAT. 37

§§ 1721 to 1725. Repealed. Pub. L. 101-225, title III, § 307(15), Dec. 12, 1989, 103 Stat. 1925

Section 1721, act Mar. 21, 1945, ch. 30, § 1, 59 Stat. 37, established grade and rank of Admiral in Coast Guard and provided for appointment of Commandant of Coast Guard thereto.

Section 1722, act Mar. 21, 1945, ch. 30, § 2, 59 Stat. 37, related to appointment without examination, tenure and effect on permanent or temporary status.

Section 1723, act Mar. 21, 1945, ch. 30, § 3, 59 Stat. 37, related to pay and allowances of appointees under sections 1721 to 1725 of this Appendix.

Section 1724, act Mar. 21, 1945, ch. 30, § 4, 59 Stat. 37, related to rank and pay on retirement of appointees under sections 1721 to 1725 of this Appendix.

Section 1725, act Mar. 21, 1945, ch. 30, § 5, 59 Stat. 37, provided for termination of sections 1721 to 1725 of this Appendix six months after termination of wars in which United States was engaged as proclaimed by President or such earlier date as Congress, by concurrent resolution, might fix. Cessation of hostilities of World War II, eff. twelve o'clock noon, Dec. 31, 1946, proclaimed by President in Proc. No. 2714, Dec. 31, 1946, 12 F.R. 1. Treaty of Peace with Japan, signed at San Francisco on Sept. 8, 1951, ratified by United States Senate on Mar. 20, 1952, and came into force on Apr. 28, 1952. See Termination of State of War notes set out preceding section 1 of this Appendix.

PERMANENT APPOINTMENT

Section 3 of act Mar. 3, 1946, ch. 112, 60 Stat. 60, provided for permanent appointment in grade of Admiral in Coast Guard of Admiral Russell R. Waesche. Section also provided for full pay upon retirement.

EXCEPTION OF NAVY OR COAST GUARD VESSELS FROM CERTAIN NAVIGATION RULES

ACT DEC. 3, 1945, CH. 511, 59 STAT. 590

§§ 1731, 1732. Transferred

CODIFICATION

Section 1731, act Dec. 3, 1945, ch. 511, § 1, 59 Stat. 590, which related to an exemption from requirements as to

number, position, etc., of lights for vessels of special construction, was transferred to section 360 of Title 33, Navigation and Navigable Waters, and was subsequently repealed by Pub. L. 96-591, §8(a), Dec. 24, 1980, 94 Stat. 3435.

Section 1732, act Dec. 3, 1945, ch. 511, §2, 59 Stat. 591, which related to publication of notice of findings or certification and character and number of lights, was transferred to section 360a of Title 33, Navigation and Navigable Waters, and was subsequently repealed by Pub. L. 96-591, §8(a), Dec. 24, 1980, 94 Stat. 3435.

SALE OF SURPLUS WAR-BUILT VESSELS

ACT MAR. 8, 1946, CH. 82, 60 STAT. 41

Sec.

- 1735. Declaration of policy.
- 1736. Definitions.
- 1737. Repealed.
- 1738. Charter of vessels.
 - (a), (b) Repealed.
 - (c) Laws applicable to charter hire.
 - (d) Repealed.
 - (e) Proceedings and findings; extension of charters.
 - (f) Charter of passenger vessels.
- 1738a to 1740. Repealed or Omitted.
- 1741. Exchange of vessels.
 - (a) to (c) Repealed.
 - (d) Transfer of substitute vessels.
- 1742. Repealed.
- 1743. Repealed.
- 1744. National Defense Reserve Fleet.
 - (a) Fleet components.
 - (b) Permitted uses.
 - (c) Ready Reserve Force management.
 - (e) Exemption from tank vessel construction standards.
- 1745. Reconversion of vessels for normal commercial operation; applicability of other laws to construction contracts; coastwise trade; disposition of moneys; Great Lakes trade.
- 1745a, 1746. Repealed.

ACT REFERRED TO IN OTHER SECTIONS

This Act is referred to in title 40 section 270f.

§ 1735. Declaration of policy

(a) It is necessary for the national security and development and maintenance of the domestic and the export and import foreign commerce of the United States that the United States have an efficient and adequate American-owned merchant marine (1) sufficient to carry its domestic water-borne commerce and a substantial portion of its water-borne export and import foreign commerce and to provide shipping service on all routes essential for maintaining the flow of such domestic and foreign water-borne commerce at all times; (2) capable of serving as a naval and military auxiliary in time of war or national emergency; (3) owned and operated under the United States flag by citizens of the United States; (4) composed of the best-equipped, safest, and most suitable types of vessels, constructed in the United States and manned with a trained and efficient citizen personnel; and (5) supplemented by efficient American-owned facilities for shipbuilding and ship repair, marine insurance, and other auxiliary services.

(b) It is hereby declared to be the policy of this Act [sections 1735 to 1746 of this Appendix] to foster the development and encourage the maintenance of such a merchant marine.

(Mar. 8, 1946, ch. 82, §2, 60 Stat. 41.)

SHORT TITLE

Section 1 of act Mar. 8, 1946, provided that: "This Act [enacting this section and sections 1736 to 1746 of this Appendix] may be cited as the 'Merchant Ship Sales Act of 1946'."

TERMINATION DATE

Section 14 of act Mar. 8, 1946, as amended June 28, 1947, ch. 161, §1, 61 Stat. 190; Feb. 27, 1948, ch. 78, §1(a), 62 Stat. 38; Feb. 28, 1949, ch. 12, 63 Stat. 9; June 29, 1949, ch. 281, §1, 63 Stat. 349; June 30, 1950, ch. 427, §1, 64 Stat. 308; Aug. 17, 1950, ch. 725, 64 Stat. 452, provided that: "No contract of sale shall be made under this Act [sections 1735 to 1746 of this Appendix] after January 15, 1951, and no contract of charter shall be made under this Act [sections 1735 to 1746 of this Appendix] after June 30, 1950, except as provided for charter under subsections (e) and (f) of section 5 hereof, as amended [section 1738(e), (f) of this Appendix]."

DETERMINATION OF SELLING PRICE

Elements to be considered in determination of the selling price of vessels, see section 864b of Title 46, Appendix, Shipping.

GREAT LAKES VESSELS

Section 3 of act Sept. 28, 1950, ch. 1093, 64 Stat. 1078, provided: "Contracts for the sale of vessels for exclusive use on the Great Lakes, including the Saint Lawrence River and Gulf and their connecting waterways, may be made until December 31, 1950. Such contracts shall require that transfer to the Great Lakes of such vessels by the buyers shall be completed by December 31, 1951."

§ 1736. Definitions

As used in this Act [sections 1735 to 1746 of this Appendix] the term—

(a) "Secretary" means the Secretary of Transportation.

(b) to (f) Repealed. Pub. L. 101-225, title III, §307(12), Dec. 12, 1989, 103 Stat. 1925.

(g) "Citizen of the United States" includes a corporation, partnership, or association only if it is a citizen of the United States within the meaning of section 2 of the Shipping Act of 1916, as amended [46 App. U.S.C. 802, 803]. The term "affiliated interest" as used in sections 9 and 10 of this Act [sections 1742 and 1743 of this Appendix] includes any person affiliated or associated with a citizen applicant for benefits under this Act [sections 1735 to 1746 of this Appendix] who the Secretary, pursuant to rules and regulations prescribed hereunder, determines should be so included in order to carry out the policy and purposes of this Act [said sections].

(Mar. 8, 1946, ch. 82, §3, 60 Stat. 41; Pub. L. 97-31, §12(153), Aug. 6, 1981, 95 Stat. 167; Pub. L. 101-225, title III, §307(12), Dec. 12, 1989, 103 Stat. 1925.)

AMENDMENTS

1989—Subsecs. (b) to (f). Pub. L. 101-225 struck out subsecs. (b) to (f) which defined "war-built vessel", "prewar domestic cost", "statutory sales price", "domestic war cost", and "cessation of hostilities", respectively.

1981—Subsec. (a). Pub. L. 97-31, §12(153)(A), (B), substituted "Secretary" for "Commission" and "Secretary of Transportation" for "United States Maritime Commission".

Subsecs. (c) to (e), (g). Pub. L. 97-31, §12(153)(C), substituted "Secretary" for "Commission" wherever appearing.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1738, 1739 of this Appendix; title 46 App. section 864a.